

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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REGINALD McFADGEN, 91-A-4082,

03-CV-0139E(F)

Plaintiff,

-vs-

RANDY JAMES,  
SAM MARTINO,  
JAMES CONWAY, First Deputy,  
DAVID FIX and  
PETER CORCORAN, Sergeant.

ORDER

Defendants.

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The Honorable Leslie G. Foschio, a Magistrate Judge in this judicial district, having considered plaintiff's motions for injunctive relief pursuant to this Court's referral under 28 U.S.C. §636(b)(1)(A) and having on March 16, 2006 filed his Report and Recommendation concerning such, and no objection thereto having been made, and the substance and rationale of said Report and Recommendation having been considered by this Court, it is hereby

**ORDERED** that said Report and Recommendation is fully confirmed and plaintiff's motions are dismissed as moot.

DATED: Buffalo, N.Y.

March 31, 2006

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**/s/ John T. Elfvin**  
JOHN T. ELFVIN  
S.U.S.D.J.